

12-18-01

STATE OF FLORIDA
COMMISSION ON HUMAN RELATIONS

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STATE OF FLORIDA
COMMISSION ON HUMAN RELATIONS

LORI WILSON

AT

Petitioner,

v.

EEOC Case No. 15D990170
FCHR Case No. 99-0814
DOAH Case No. 01-3751
FCHR Order No. 02-034

SFH-COS

MEX OF SANTA ROSA, INC.

Respondent.

**FINAL ORDER DISMISSING REQUEST FOR
RELIEF FROM AN UNLAWFUL EMPLOYMENT PRACTICE**

Petitioner filed a Petition for Relief claim she was discriminated against because of a racially hostile work environment, causing her constructive discharge from employment. A hearing was held. A transcript of the proceedings was not made. No exceptions were found in the file. There was an attempt made to use a transcript found in another similar case to show a racially hostile environment in Respondent's workplace, but the Judge did not mention this transcript in her Recommended Order, and it is unclear whether it was included in the record. In any event it is hearsay. A review of the case compels a decision against the Petitioner since she refused to clean an exceptionally dirty restroom even though it was part of her job duties, and left her place of employment without ever returning.

The Judge's dismissal was correct since it was supported by competent substantial evidence in the record, and the Petition should be dismissed. There are no recognizable errors of law as applied to the facts of this case.

DISMISSAL

The Petition for Relief is hereby **Dismissed**.

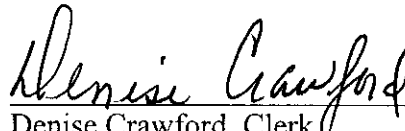
The Parties have the right to seek judicial review of this Order. The Commission and the appropriate District Court of Appeal must receive a Notice of Appeal within 30 days of the date of this Order is filed with the Clerk of the Commission. Explanation of the right to appeal is found in Section 120.68, Florida Statutes, and the Florida Rules of Appellate Procedure 9.110.

DONE AND ORDERED THIS 25th DAY OF July, 2002, FOR THE
FLORIDA COMMISSION ON HUMAN RELATIONS

Commission Panel Chairperson
Roosevelt Paige
Commissioner John Corbett
Commissioner Donna Elam

Filed this 25th day of July, 2002,

In Tallahassee, Florida.


Denise Crawford, Clerk
Florida Commission on Human Relations
2009 Apalachee Parkway, Suite 100
Tallahassee, Florida 32301
(850) 488-7082

NOTICE TO COMPLAINTANT/PETITIONER

As your complain was filed under Title VII of the Civil Rights Act of 1964, which is enforced by the U.S. Equal Employment Opportunity Commission (EEOC), you have the right to request EEOC to review this Commission's final agency action. To secure a "Substantial Weight Review" by EEOC, you must request it in writing with 15 days of your receipt of this Order. Send your request to Miami District Office (EEOC), One Biscayne Tower, 2 South Biscayne Blvd., Suite 2700, 27th Floor, Miami, Florida 33131.

Copies Furnished to:

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Suzanne F. Hood, Administrative Law Judge, DOAH